

MESSAGE NO: 5131113 MESSAGE DATE: 05/11/1995

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-351-605

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1991 TO 04/30/1992

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR FROZEN CONCENTRATED ORANGE JUICE  
FROM BRAZIL (A-351-605) FOR FRUITROPIC & CITRO PELTINA

MESSAGE NO: 5131113

DATE: 05 11 1995

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 351 - 605

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PERIOD COVERED: 05 01 1991 TO 04 30 1992

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS  
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: LIQUIDATION INSTRUCTIONS FOR FROZEN CONCENTRATED ORANGE  
JUICE FROM BRAZIL (A-351-605) FOR FRUITROPIC & CITRO  
PELTINA

1. FOR ALL SHIPMENTS OF FROZEN CONCENTRATED ORANGE JUICE FROM  
BRAZIL MANUFACTURED BY FRUTROPIC S/A (A-351-605-010) AND  
CITROPECTINA S/A (A-351-605-003) ENTERED OR WITHDRAWN FROM  
WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD MAY 1, 1991  
THROUGH APRIL 30, 1992, ASSESS AN ANTIDUMPING LIABILITY OF  
ZERO PERCENT OF THE ENTERED VALUE.

2. THE ORDER WITH RESPECT TO FRUTROPIC S/A WAS REVOKED.

THEREFORE, ALL UNLIQUIDATED ENTRIES MADE AFTER THE CLOSE OF

THE ADMINISTRATIVE REVIEW PERIOD ON APRIL 30, 1992, MAY NOW BE LIQUIDATED AT AN ANTIDUMPING LIABILITY OF ZERO PERCENT OF THE ENTERED VALUE. THE SUSPENSION OF LIQUIDATION FOR FUTURE ENTRIES MANUFACTURED BY FRUTROPIC S/A IS LIFTED.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE, MANUFACTURERS, AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES WHERE APPROPRIATE FOR THE MERCHANDISE AT THE CURRENT RATES PROVIDED IN THE AD/CVD MODULE.
4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.
5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. YOU MAY RELEASE APPRAISED VALUES TO INDIVIDUAL IMPORTERS CONCERNED OR HIS REPRESENTATIVE. YOU MAY NOT RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF THE CUSTOMS SERVICE HEADQUARTERS.
7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT STEPHEN LEBOWITZ OF THE OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-2786.

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## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party